

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RAYMOND K. HEDGESPETH, JR.,

Plaintiff,

v.

BYRON BARTOW and STEVE WATTERS,

Defendant.

ORDER

09-cv-246-slc

In this case, plaintiff Raymond Hedgespeth has been granted leave to proceed *in forma pauperis* on his First Amendment claim against defendants Byron Bartow and Steve Watters. Now before the court is plaintiff's second motion to compel discovery. Defendant has responded to the motion.

In his motion, plaintiff moves to compel defendants to answer his second set of interrogatories. Defendants responded to plaintiff's first set of 23 interrogatories on January 27, 2010. Subsequently, plaintiff filed a second set of 24 interrogatories on defendants. On March 8, 2010, defendants responded to plaintiff's first two interrogatories in the second set but objected to the remaining interrogatories on the grounds that they exceeded the number allowed by Fed. R. Civ. P. 33(a)(1).

On September 9, 2009, I denied plaintiff's request to allow him to ask defendants more interrogatories than the 25 allowed by Rule 33. In his motion, plaintiff argues again that he should be allowed to ask defendants more than 25 interrogatories. Because there are two defendants in this case, there is room to argue that plaintiff should be allowed additional interrogatories, but most of the interrogatories actually posed by plaintiff in his second set are objectionable because they are vague, ambiguous, argumentative, repetitive, seek irrelevant information or ask for a pure legal conclusion with no correlation to relevant facts. Having

reviewed plaintiff's second set of interrogatories, I conclude that he is entitled to responses to those numbered 10, 11, 12, 18, 18(a), 20, 20(f) and 22, and he is not entitled to responses to those numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18(b), 19, 20(a)-(d), 21(a)-(e), 23 and 24.

ORDER

IT IS ORDERED that plaintiff's second motion to compel discovery, dkt. 47, is GRANTED IN PART and DENIED IN PART as set forth in the body of this order.

Entered this 24th day of March, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge